

PRIVACY IMPACT ASSESSMENT (PIA)

PRESCRIBING AUTHORITY: DoD Instruction 5400.16, "DoD Privacy Impact Assessment (PIA) Guidance". Complete this form for Department of Defense (DoD) information systems or electronic collections of information (referred to as an "electronic collection" for the purpose of this form) that collect, maintain, use, and/or disseminate personally identifiable information (PII) about members of the public, Federal employees, contractors, or foreign nationals employed at U.S. military facilities internationally. In the case where no PII is collected, the PIA will serve as a conclusive determination that privacy requirements do not apply to system.

1. DOD INFORMATION SYSTEM/ELECTRONIC COLLECTION NAME:

Homeowners Assistance Program Management Information System (HAPMIS)

2. DOD COMPONENT NAME:

United States Army

3. PIA APPROVAL DATE:

U.S. Army Corps of Engineers

SECTION 1: PII DESCRIPTION SUMMARY (FOR PUBLIC RELEASE)

a. The PII is: (Check one. Note: Federal contractors, military family members, and foreign nationals are included in general public.)

☐ From members of the general public

☐ From Federal employees

☒ from both members of the general public and Federal employees

☐ Not Collected (if checked proceed to Section 4)

b. The PII is in a: (Check one.)

☐ New DoD Information System

☐ New Electronic Collection

☒ Existing DoD Information System

☐ Existing Electronic Collection

☐ Significantly Modified DoD Information System

c. Describe the purpose of this DoD information system or electronic collection and describe the types of personal information about individuals collected in the system.

HAPMIS is the automated system that supports the Homeowners Assistance Program (HAP) and serves as the official system of record for the HAP. HAPMIS is an automated database for the following: HAP applicants; benefits applied for and received; budget plans; means of calculating settlements; and analytical tools and reports for projection and quality control. Personally Identifiable Information (PII) is collected from each HAP applicant and stored in HAPMIS, to include the applicant's full name; Taxpayer Identification Number (TIN) (i.e., Social Security Number (SSN) or Employer Identification Number (EIN)); grade/rank; mailing address (street, city, state, zip code); employment information (Branch of Military Service, military unit, retirement system, starting and ending dates, nature of separation,); death of service member or civilian employee information; home and work telephone numbers; personal and work email addresses; spouses name, address, contact information. HAPMIS may also collect PII information to identify the impact from the market change, eligibility, and entitlement to specific program benefits (ref: ER 4-5-1-12).

d. Why is the PII collected and/or what is the intended use of the PII? (e.g., verification, identification, authentication, data matching, mission-related use, administrative use)

The HAP provides financial relief to eligible Service Member and civilian employee homeowners when their homes lose value because of a base closure or realignment announcement, and to wounded, injured, and ill members of the Armed Forces, surviving spouses of fallen warriors, and wounded, injured, and ill DoD civilian homeowners reassigned in furtherance of medical treatment or rehabilitation or due to medical retirement in connection with their disability. Application for benefits under the HAP program is made using Department of Defense (DD) Form 1607, which requests the applicant's PII for data entry into HAPMIS including the applicant's TIN or EIN. HAPMIS data includes PII for HAP applicants as described under item 10 above; benefits applied for and received by applicant; budget plans; the means of calculating settlements; and analytical tools and reports for benefit and budget/cost projection and quality control. HAP recipients are required to pay taxes on portions of their benefits and reimbursements. The Internal Revenue Service (IRS) has the authority under 26 U.S.C. 6109 to require agencies that provide taxable benefits to collect SSNs or EINs from the corresponding taxpayers. USACE must provide the name and corresponding SSN or EIN to the IRS, and must withhold tax payments and issue Forms W-2 and 1099 to the HAP recipients. These actions require maintaining and reporting PII including SSNs/EINs.

e. Do individuals have the opportunity to object to the collection of their PII? ☒ Yes ☐ No

(1) If "Yes," describe the method by which individuals can object to the collection of PII.

(2) If "No," state the reason why individuals cannot object to the collection of PII.

DD Form 1607 Privacy Act Statement regarding disclosure of requested information is voluntary; however, failure to furnish requested information may result in denial of benefits provided under law. If the DD Form 1607 does not provide all of the information required to process an application, the applicant may be requested to provide supplemental information (ref: ER 405-1-12).

f. Do individuals have the opportunity to consent to the specific uses of their PII? ☒ Yes ☐ No

(1) If "Yes," describe the method by which individuals can give or withhold their consent.

(2) If "No," state the reason why individuals cannot give or withhold their consent.

An individual grants consent through acknowledgment, completion, signature and submission of DD Form 1607 to the USACE HAP office. Failure to furnish requested information will hinder verification of employment and homeowner information, potentially resulting in either a delay or denial of HAP benefits.

g. When an individual is asked to provide PII, a Privacy Act Statement (PAS) and/or a Privacy Advisory must be provided. (Check as appropriate and provide the actual wording.)

☒ Privacy Act Statement ☐ Privacy Advisory ☐ Not Applicable

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, these records or information contained therein may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. 552a(b)(3) including the Department of Housing and Urban Development when assuming custody of acquired homes, to manage and dispose of such properties on behalf of the Secretary of Defense; Department of Veterans Affairs in accepting subsequent purchaser in private sales when property is encumbered by a mortgage loan guaranteed or insured by them; Department of Justice to review final title and deeds of conveyance to the Government for properties acquired under the program, pursuant to their responsibilities under Public Law 91-393; and the Internal Revenue Service to determine tax liability for sale of property to the Government.

h. With whom will the PII be shared through data/system exchange, both within your DoD Component and outside your Component? (Check all that apply)

☒ Within the DoD Component	Specify.	USACE
☒ Other DoD Components (i.e. Army, Navy, Air Force)	Specify.	PII is redacted from appeals prior to forward to HQDA/OSD
☒ Other Federal Agencies (i.e. Veteran's Affairs, Energy, State)	Specify.	TINs/EINs will be provided to the IRS and to the Federal Reserve (in the case of a federal civilian payout) for the administration of all pertinent tax laws, as all HAPMIS financial transactions made on behalf of HAP beneficiaries may incur potential tax and Federal Insurance Contributions Act (FICA) liabilities.
☐ State and Local Agencies	Specify.	
☐ Contractor (Name of contractor and describe the language in the contract that safeguards PII. Include whether FAR privacy clauses, i.e., 52.224-1, Privacy Act Notification, 52.224-2, Privacy Act, and FAR 39.105 are included in the contract.)	Specify.	
☐ Other (e.g., commercial providers, colleges).	Specify.	

i. Source of the PII collected is: (Check all that apply and list all information systems if applicable)

☒ Individuals	☐ Databases
☐ Existing DoD Information Systems	☐ Commercial Systems
☐ Other Federal Information Systems	

j. How will the information be collected? (Check all that apply and list all Official Form Numbers if applicable)

☒ E-mail	☒ Official Form (Enter Form Number(s) in the box below)
☒ In-Person Contact	☒ Paper
☒ Fax	☒ Telephone Interview
☒ Information Sharing - System to System	☒ Website/E-Form
☐ Other (If Other, enter the information in the box below)	

DD1607 - Application for DoD Homeowners Assistance Program

k. Does this DoD Information system or electronic collection require a Privacy Act System of Records Notice (SORN)?

A Privacy Act SORN is required if the information system or electronic collection contains information about U.S. citizens or lawful permanent U.S. residents that is retrieved by name or other unique identifier. PIA and Privacy Act SORN information must be consistent.

☒ Yes ☐ No

If "Yes," enter SORN System Identifier

SORN Identifier, not the Federal Register (FR) Citation. Consult the DoD Component Privacy Office for additional information or <http://dpclld.defense.gov/Privacy/SORNs/>
or

If a SORN has not yet been published in the Federal Register, enter date of submission for approval to Defense Privacy, Civil Liberties, and Transparency Division (DPCLTD). Consult the DoD Component Privacy Office for this date.

If "No," explain why the SORN is not required in accordance with DoD Regulation 5400.11-R: Department of Defense Privacy Program.

I. What is the National Archives and Records Administration (NARA) approved, pending or general records schedule (GRS) disposition authority for the system or for the records maintained in the system?

(1) NARA Job Number or General Records Schedule Authority.

(2) If pending, provide the date the SF-115 was submitted to NARA.

(3) Retention Instructions.

m. What is the authority to collect information? A Federal law or Executive Order must authorize the collection and maintenance of a system of records. For PII not collected or maintained in a system of records, the collection or maintenance of the PII must be necessary to discharge the requirements of a statute or Executive Order.

(1) If this system has a Privacy Act SORN, the authorities in this PIA and the existing Privacy Act SORN should be similar.

(2) If a SORN does not apply, cite the authority for this DoD information system or electronic collection to collect, use, maintain and/or disseminate PII.
(If multiple authorities are cited, provide all that apply).

(a) Cite the specific provisions of the statute and/or EO that authorizes the operation of the system and the collection of PII.

(b) If direct statutory authority or an Executive Order does not exist, indirect statutory authority may be cited if the authority requires the operation or administration of a program, the execution of which will require the collection and maintenance of a system of records.

(c) If direct or indirect authority does not exist, DoD Components can use their general statutory grants of authority ("internal housekeeping") as the primary authority. The requirement, directive, or instruction implementing the statute within the DoD Component must be identified.

Section 1013 of Public Law 89-754, "Demonstration Cities and Metropolitan Development Act of 1966," as amended (80 Stat. 1255, 1290)
(80 Stat. 1255, 1290)
The American Recovery and Reinvestment Act of 2009 (ARRA)
32 CFR Part 239, Homeowners Assistance Program – Application Processing, November 16, 2010
Executive Order (EO) 9397, Numbering System for Federal Accounts Relating to Individual Persons
26 U.S.C. 6109, Identifying Numbers
DTM 07-015-USD, Guidance on the Use of the SSN by the Department of Defense
Army Regulation (AR) 405-10, Acquisition of Real Property and Interests
Army Regulation (AR) 405-16, Homeowners Assistance Program
USACE Engineering Regulation (ER) 405-1-12, Real Estate Handbook"/>

n. Does this DoD information system or electronic collection have an active and approved Office of Management and Budget (OMB) Control Number?

Contact the Component Information Management Control Officer or DoD Clearance Officer for this information. This number indicates OMB approval to collect data from 10 or more members of the public in a 12-month period regardless of form or format.

☒ Yes ☐ No ☐ Pending

(1) If "Yes," list all applicable OMB Control Numbers, collection titles, and expiration dates.

(2) If "No," explain why OMB approval is not required in accordance with DoD Manual 8910.01, Volume 2, "DoD Information Collections Manual: Procedures for DoD Public Information Collections."

(3) If "Pending," provide the date for the 60 and/or 30 day notice and the Federal Register citation.

